IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MRS. JUSTICE K.HEMA

MONDAY, THE 2ND JULY 2007 / 11TH ASHADHA 1929

WP(C).No. 19587 OF 2007(F)

PETITIONER:

DR.WILSON PAUL, AGED 47 YEARS,
S/O POULOSE VAIDYAN, PARATHUVAYALIL HOUSE,
KEEZHILLAM KARA, RAYAMANGALAM VILLAGE,
KUNNATHUNADU TALUK, ERNAKULAM DISTRICT.

BY ADV. SRI.RAJESH VIJAYAN

RESPONDENTS:
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1. SUB INSPECTOR OF POLICE,
KURUPPUMPADY POLICE STATION,
KURUPPUMPADY.

2. DR.PATHROSE, S/O POULOSE VAIDYAN,
PARATHUVAYALIL HOUSE, KEEZHILLAM KARA,
RAYAMANGALAM VILLAGE, KUNNATHUNADU TALUK,
ERNAKULAM DISTRICT.

3. DEPUTY SUPERINTENDENT OF POLICE,
PERUMBAVOOR.

BY ADV. SRI.G.RAJAGOPAL
SMT.RENJINEE DEVI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) 19587/2007

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE PLAINT IN O.S. NO. 471/2006.

EXT.P2 TRUE COPY OF THE WRITTEN STATEMENT FILED IN O.S. NO. 471/2006.

EXT.P3 TRUE COPY OF THE COMPLAINT DATED 22.1.2007 FILED BY THE PETITIONER BEFORE THE RESPONDENTS.

EXT.P4 TRUE COPY OF THE CO MPLAINT DATED 10.3.2007 FILED BY THE PETITIONER BEFORE THE RESPONDENTS.

EXT.P5 TRUE COPY OF THE COMPLAINT DATED 22.6.2007 FILED BY THE PETITIONER BEFORE THE RESPONDENTS.

EXT.P6 TRUE COPY OF THE PHOTOGRAPH OF THE SITE.

EXT.P6(a) TRUE COPY OF THE PHOTOGRAPH OF THE SITE.

EXT.P6(b) TRUE COPY OF THE PHOTOGRAPH OF THE SITE.

RESPONDENTS' EXHIBITS:

NIL.

// TRUE COPY //

P.S. TO JUDGE.

KNC/-

P.R. RAMAN & K. HEMA, JJ.

W.P.(C) NO. 19587 OF 2007

DATED THIS, THE 2ND DAY OF JULY, 2007.

J U D G M E N T

Raman, J.

Interim protection was granted by this Court to the life of the petitioner. The Second respondent has entered appearance who is none other than the brother of the petitioner. He is a Doctor. He submits that he has not caused any threat to the life of the petitioner nor caused any damage to his properties. However, he submits that there are property disputes between himself and the petitioner and two suits are pending. The grant of protection will not in any way adversely affect the right of the parties in the civil suit, nor will it give a better right to the petitioner herein other than the pharmacy.

2. It is submitted by the learned Government Pleader that as at present there is no situation warranting grant of any protection. Petitioner also submits that after filing this writ petition, and because of passing the interim order, there is no threat . In such circumstances, we close this writ petition with liberty to the petitioner to move afresh in case a situation

arises warranting protection. In case there is any threat to either side of the parties, it is open to them to approach the police and police will see that law and order is maintained.

P.R. RAMAN,
(JUDGE)

K. HEMA,
(JUDGE)

knc/-